

Calendar No. 441

103D CONGRESS
2D SESSION

S. 316

[Report No. 103-270]

A BILL

To expand the boundaries of the Saguaro National Monument, and for other purposes.

May 25 (legislative day, May 16), 1994
Reported with an amendment and an amendment to the title

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To expand the boundaries of the Saguaro National Monument, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 4 (legislative day, JANUARY 5), 1993

Mr. DECONCINI (for himself and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MAY 25 (legislative day, MAY 16), 1994

Reported by Mr. JOHNSTON, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To expand the boundaries of the Saguaro National Monument, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saguaro National
5 Monument Protection Act of 1993”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 ~~(a) FINDINGS.~~—Congress finds that—

3 (1) the Tucson Mountain Unit of Saguaro Na-
4 tional Monument continues to be exposed to threats
5 to the integrity of the natural resources, scenic beau-
6 ty, and natural processes upon which its establish-
7 ment was based in 1961;

8 ~~(2)~~ these threats also impede opportunities for
9 public enjoyment, education, and safety within the
10 monument in general, as well as opportunities for
11 natural solitude within the wilderness area of the
12 monument as designated by Congress in 1976;

13 ~~(3)~~ these threats are, in large part, due to land
14 use and development practices on private, State,
15 local, and other Federal lands immediately adjacent
16 to the monument boundaries; and

17 ~~(4)~~ the monument boundaries in effect on the
18 day before the date of enactment of this Act are no
19 longer appropriate within the context of the continu-
20 ing residential and commercial growth of the greater
21 metropolitan area of Tucson, Arizona.

22 ~~(b) PURPOSE.~~—The purpose of this Act is to author-
23 ize the addition of approximately 160 acres to the Tucson
24 Mountain Unit of the Saguaro National Monument in
25 order to protect, preserve, and interpret the monument's

1 resources, and to provide for the education and benefit of
2 the public.

3 **SEC. 3. DEFINITIONS.**

4 As used in this Act:

5 (1) **EXPANSION AREA.**—The term “expansion
6 area” means the approximately 160 acres added to
7 the monument by this Act.

8 (2) **MONUMENT.**—The term “monument”
9 means the Saguaro National Monument.

10 (3) **SECRETARY.**—The term “Secretary” means
11 the Secretary of the Interior.

12 **SEC. 4. EXPANSION OF MONUMENT BOUNDARIES.**

13 (a) **IN GENERAL.**—The monument boundaries are re-
14 vised to include the approximately 160 acres of lands and
15 interests in lands as generally contained within township
16 13 south, range 12 east, southeast quarter of section 9
17 of the Gila and Salt Rivers Meridian.

18 (b) **ACQUISITION OF LANDS.**—

19 (1) **IN GENERAL.**—Subject to paragraph (2),
20 the Secretary may acquire lands and interests in
21 lands within the monument boundaries by donation,
22 purchase with donated or appropriated funds, ex-
23 change, or transfer from another Federal agency.

24 (2) **EXCEPTION.**—Lands and interests in lands
25 owned by the State of Arizona or any political sub-

1 division of the State may be acquired only by dona-
 2 tion or exchange.

3 ~~(c) ADMINISTRATION.—Lands and interests in lands~~
 4 ~~acquired pursuant to this Act shall be administered as~~
 5 ~~part of the monument and shall be subject to laws applica-~~
 6 ~~ble to the monument.~~

7 ~~(d) WITHDRAWAL.—Subject to valid existing rights,~~
 8 ~~all Federal lands within the expansion area are hereby~~
 9 ~~withdrawn from all forms of entry, appropriation, or dis-~~
 10 ~~posal under the public land laws; from location, entry, and~~
 11 ~~patent under the United States mining laws; and from dis-~~
 12 ~~position under all laws pertaining to mineral and geo-~~
 13 ~~thermal leasing, and all amendments thereto.~~

14 ~~(e) AMENDMENT TO THE GENERAL MANAGEMENT~~
 15 ~~PLAN.—Not later than one year after the date of enact-~~
 16 ~~ment of this Act, the Secretary shall review, and if nec-~~
 17 ~~essary amend, the monument's general management plan~~
 18 ~~with respect to the use and management of the expansion~~
 19 ~~area.~~

20 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated such sums
 22 as are necessary to carry out this Act.

23 **SECTION 1. SHORT TITLE.**

24 *This Act may be cited as the “Saguaro National Park*
 25 *Establishment Act of 1994”.*

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 *The Congress finds that—*

3 *(1) the Saguaro National Monument was estab-*
4 *lished by Presidential Proclamation in 1933;*

5 *(2) the Tucson Mountain unit was established by*
6 *Presidential Proclamation in 1961;*

7 *(3) in recognition of the need to provide in-*
8 *creased protection for the monument, the boundaries*
9 *of Tucson Mountain unit were expanded in 1976, and*
10 *the boundaries of Rincon unit were expanded in*
11 *1991;*

12 *(4) the Tucson Mountain unit continues to face*
13 *threats to the integrity of its natural resources, scenic*
14 *beauty, and habitat protection for which the unit was*
15 *established;*

16 *(5) these threats impede opportunities for public*
17 *enjoyment, education, and safety within the monu-*
18 *ment, as well as opportunities for solitude within the*
19 *wilderness areas of the monument designated by Con-*
20 *gress in 1976;*

21 *(6) the residential and commercial growth of the*
22 *greater Tucson, Arizona metropolitan area is causing*
23 *increasing threats to the monument's resources; and*

24 *(7) the Tucson Mountain unit should be enlarged*
25 *by the addition of adjacent lands of National Park*
26 *caliber and Saguaro National Monument should be*

1 *afforded full recognition and statutory protection as*
2 *a National Park.*

3 **SEC. 3. ESTABLISHMENT OF SAGUARO NATIONAL PARK.**

4 *There is hereby established the Saguaro National Park*
5 *(hereinafter in this Act referred to as the “park”) in the*
6 *State of Arizona. The Saguaro National Monument is abol-*
7 *ished as such, and all lands and interests therein are hereby*
8 *incorporated within and made part of Saguaro National*
9 *Park. Any reference to Saguaro National Monument shall*
10 *be deemed a reference to Saguaro National Park, and any*
11 *funds available for the purposes of the monument shall be*
12 *available for purposes of the park.*

13 **SEC. 4. EXPANSION OF PARK BOUNDARIES.**

14 (a) *IN GENERAL.*—*The boundaries of the park are*
15 *hereby modified to reflect the addition of approximately*
16 *3,460 acres of land and interests therein as generally de-*
17 *picted on the map entitled “Saguaro National Monument*
18 *Additions” and dated April, 1994.*

19 (b) *LAND ACQUISITION.*—(1) *Within the lands added*
20 *to the park pursuant to subsection (a), the Secretary is au-*
21 *thorized to acquire lands and interests therein by donation,*
22 *purchase with donated or appropriated funds, transfer, or*
23 *exchange: Provided, That no such lands or interests therein*
24 *may be acquired without the consent of the owner thereof*
25 *unless the Secretary determines that the land is being devel-*

1 oped, or is proposed to be developed in a manner which
 2 is detrimental to the integrity of the park.

3 (2) Lands or interests therein owned by the State of
 4 Arizona or a political subdivision thereof may only be ac-
 5 quired by donation or exchange.

6 (c) *WITHDRAWAL.*—Subject to valid existing rights, all
 7 Federal lands within the park are hereby withdrawn from
 8 all forms of entry, appropriation, or disposal under the
 9 public land laws, from location, entry, or patent under the
 10 United States mining laws, and from disposition under all
 11 laws relating to mineral and geothermal leasing, and min-
 12 eral materials, and all amendments thereto.

13 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

14 There is authorized to be appropriated such sums as
 15 may be necessary to carry out this Act.

Amend the title so as to read: “A bill to establish
 the Saguaro National Park in the State of Arizona, and
 for other purposes”.